
Judiciary Committee

HB 1248

Title: An act relating to court proceedings.

Brief Description: Concerning court proceedings.

Sponsors: Representatives Shea, Sawyer, Rodne, Jinkins, Walkinshaw, Fitzgibbon, Kilduff and Pollet.

<p style="text-align: center;">Brief Summary of Bill</p> <ul style="list-style-type: none">• Increases the jurisdictional limit for district courts to \$100,000.• Makes various changes to mandatory arbitration.
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Hearing Date: 1/21/15

Staff: Brent Campbell (786-7152).

Background:

Washington Court System.

There are four levels of courts in Washington: (1) the Supreme Court; (2) the Court of Appeals; (3) the superior courts; and (4) courts of limited jurisdiction (district and municipal courts).

Superior courts are courts of general jurisdiction. They generally have no limit on the types of civil and criminal cases heard. They also hear appeals from courts of limited jurisdiction.

District courts also have jurisdiction over both criminal and civil cases, but they are limited in the types of cases they may hear. For instance, district courts have no jurisdiction for civil actions where the value of the claim or the amount at issue exceeds \$75,000.

Mandatory Arbitration.

In arbitration proceedings, a neutral third party is selected to hear both sides of the case and then resolves the case by rendering a specific decision or award.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Mandatory arbitration is required for certain civil actions in counties with a population of more than one hundred thousand. In counties with a population of one hundred thousand or less, the superior court of the county may authorize mandatory arbitration of civil actions with a majority vote of the county's superior court judges or it may be authorized by the county legislative authority.

Civil actions that seek only a money judgment in superior court are subject to mandatory arbitration if the counties have authorized arbitration and no party asserts a claim in excess of \$15,000. This amount may be raised to \$50,000, exclusive of interest and costs, if approved by a two-thirds or greater vote of superior court judges of the county.

Summary of Bill:

The jurisdictional limit for civil actions in district court is raised from \$75,000 to \$100,000.

Superior court judges of a county that has approved arbitration may require mandatory arbitration for civil actions with amounts at issue of up to the jurisdictional limit of district courts. This jurisdictional limit is \$100,000.

Arbitrators are also required to set the time, date, and place of the hearing and to give reasonable notice to the parties of the hearing date. This hearing date may be set no sooner than 21 days and no later than 75 days from the date of the assignment of the case to the arbitrator.

Guidelines for how to conduct discovery are also provided for parties to mandatory arbitration. A party conducting discovery may demand a specification of damages, to request physical and mental health examinations, request an admission from a party, and take the deposition of another party. A party may request additional discovery from an arbitrator, but arbitrators can allow discovery only as reasonably necessary.

A written notice of appeal of an arbitration must be signed by the aggrieved party. Filing fees for a request for mandatory arbitration are raised from \$220 to \$250, and filing fees for a request for trial de novo of an arbitration award are raised from \$250 to \$275.

A technical change is also made to replace "a water rights statement" with "an adjudication claim." This makes the language of this section match the statutory language of RCW 90.03.180.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.